IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2035 OF 2007

Balbhim Govind Deokar. ..Petitioner.
Vs.
The State of Maharashtra and ors. ..Respondents.

Mr.Arvind Purohit for the petitioner absent.

CORAM: S.B. MHASE &
R.S. MOHITE, JJ.
DATE : June 14, 2007

P.C.

1. The learned counsel for the petitioner was absent when the matter was called out on the last occasion. By way of indulgence, we adjourned the matter for today. Today also, the learned counsel for the petitioner is absent and therefore, we have decided to peruse the matter and decide it on merits.

2. It appears that the Notification under Section 4 of the Land Acquisition Act was published in Govt. Gazette in the year 1968 in respect of the land of the petitioner namely Gat Nos. 42/1k, 42.5, 42/5 and 5/2A of Village Sugaon. The Special Land Acquisition Officer on 17.9.1973 passed an award bearing No.SPL/LAQ/UDP/SR/I/67-II and the amount of compensation has been awarded. The petition states that the petitioner is aggrieved by the said amount of compensation and therefore, since 1973 he has made

several applications to the officers of the Government and those applications dated 27.7.1973 and 2.8.1973 be treated as reference under Section 18 of the Act and the reference be directed. However, those applications are not annexed to the petition. Not only that, the appropriate court fee stamp on those applications is not paid since 1973. Under these circumstances, we find that the remedy of Reference under Section-18 of the Land Acquisition Act is hopelessly barred and this relief cannot be granted after lapse of period of 23 years. The petition suffers from delay and callous latches. Therefore, we refrain to entertain the petition. Petition is therefore, rejected.

(R.S. MOHITE, J.) **(S.B. MHASE, J.)**